

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

LARRY E. WEBSTER JR.,

Plaintiff,

V.

DR BALA DAVULURI,

Defendant.

CIVIL NO. W-24-CV-00294-ADA

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske. ECF No. 6. The report recommends that Plaintiff's claim (ECF No. 1) be dismissed as frivolous. The report and recommendation was filed on June 3, 2024.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A district court need not consider “[f]rivolous, conclusive, or general objections.” *Battle v. U.S. Parole Comm’n*, 834 F.2d 419, 421 (5th Cir. 1987) (quoting *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), *overruled on other grounds by Douglass v. United States Auto. Ass’n*, 79 F.3d 1415 (5th Cir. 1996)).

Plaintiff filed objections on June 9, 2024, ECF No. 8, and an amendment to the objections on June 10, 2024, ECF No. 9. The Court has conducted a *de novo* review of the complaint, the report and recommendation, the objections to the report and recommendation, and the applicable


laws. After that thorough review, the Court is persuaded that the Magistrate Judge's findings and recommendation should be adopted.

IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske, ECF No. 6, is **ADOPTED**.

IT IS FURTHER ORDERED that Plaintiff's objections are **OVERRULED**.

IT IS FINALLY ORDERED that Plaintiff's claim be dismissed as frivolous in accordance with the Report and Recommendation.

SIGNED this 20th day of June, 2024.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE